

**STATE OF ILLINOIS
HUMAN RIGHTS COMMISSION**

James R. Thompson Center
Murdock Room - IDHS
100 West Randolph Street, Suite 5-300
Chicago, IL 60601

Meeting of Panel A
September 24, 2014
9:00 A.M.

MINUTES

PRESENT:

Commissioners: Marti Baricevic (Panel Chair)
Patricia Bakalis Yadgir
Terry Cosgrove

Staff: Donyelle L. Gray
Evelio Mora
Byron M. Wardlaw
Christine Welninski

Members of Public: David Rothal, Illinois Department of Human Rights

I. Call to Order

A meeting of the Illinois Human Rights Commission Panel A was called to order on Wednesday, September 24, 2014 at 9:00 a.m. by Panel Chair Marti Baricevic.

Pursuant to the Illinois Open Meetings Act, 5 ILCS 120/1 *et seq.*, it was determined that:

- 1) A quorum of the public body was physically present at the meeting.

II. Consideration of Minutes

The minutes from the meeting on June 25, 2014 was approved as submitted by staff. Motion to approve the June 25, 2014 minutes made by Commissioner Cosgrove; seconded by Commissioner Bakalis Yadgir. Motion carried 3-0.

III. Requests for Review

A. *William Bueschsenschurtz v. Macon County*
Charge No.: 2011SA0511 ALS No.: 12-0057

Panel A sustained the dismissal for Lack of Substantial Evidence. Motion made by Commissioner Cosgrove; seconded by Commissioner Bakalis Yadgir. Motion carried 3-0.

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B. Booker T. Woodward v. Hamilton Sundstrand

Charge No.: 2010CN4265

ALS No.: 11-0872

Panel A sustained the dismissal for Lack of Jurisdiction. Motion made by Commissioner Bakalis Yadgir; seconded by Commissioner Cosgrove. Motion carried 3-0.

C. Areva Williams v. State Farm Insurance Company

Charge No.: 2011CP1960

ALS No.: 12-0069

Panel A sustained the dismissal for Lack of Substantial Evidence. Motion made by Commissioner Cosgrove; seconded by Commissioner Bakalis Yadgir. Motion carried 3-0.

D. Salvatore Teresi v. APL Logistics

Charge No.: 2011CA2351

ALS No.: 12-0065

Panel A sustained the dismissal for Lack of Substantial Evidence. Motion made by Commissioner Bakalis Yadgir; seconded by Commissioner Cosgrove. Motion carried 3-0.

E. Regina Dyminski v. First Priority, Inc.

Charge No.: 2011CA3467

ALS No.: 12-0066

Panel A sustained the dismissal for Lack of Substantial Evidence. Motion made by Commissioner Bakalis Yadgir; seconded by Commissioner Cosgrove. Motion carried 3-0.

F. Reginald A. Johnson v. Saint Gobain Abrasives

Charge No.: 2010CF1016

ALS No.: 12-0067

Panel A sustained the dismissal for Failure to Proceed. Motion made by Commissioner Cosgrove; seconded by Commissioner Bakalis Yadgir. Motion carried 3-0.

IV. Petitions for Default

A. Hope Fair Housing Center, et al., v. Luz Uy, as trustee of Luz R. Uy Trust

Charge No.: 2013CH2187

ALS No.: 14-0365

Motion for Default Order granted. Motion made by Commissioner Cosgrove; seconded by Commissioner Bakalis Yadgir. Motion carried 3-0.

B. T.P. et al. v. Luz Uy, as trustee for Luz R. Uy Trust

Charge No.: 2013CH2188

ALS No.: 14-0368

Motion for Default Order granted. Motion made by Commissioner Bakalis Yadgir; seconded by Commissioner Cosgrove. Motion carried 3-0.

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C. Paul Witmer v. Fatty McGees

Charge No.: 2014CP0664

ALS No.: 14-0372

Motion for Default Order granted. Motion made by Commissioner Cosgrove; seconded by Commissioner Bakalis Yadgir. Motion carried 3-0.

D. Tonya M. Exum v. Ken Millender

Charge No.: 2014CN0723

ALS No.: 14-037

Motion for Default Order granted. Motion made by Commissioner Cosgrove; seconded by Commissioner Bakalis Yadgir. Motion carried 3-0.

V. Motions for Extension of Time to File Request for Review

A. Anderson Jones v. Cook County Bureau of Technology

Charge No.: 2013Ca2715

ALS No.: 14-0370

Panel A denied the motion for extension of time to file request for review. Motion made by Commissioner Cosgrove; seconded by Commissioner Bakalis Yadgir. Motion carried 3-0.

B. Estelle Martin v. Hilton World Wider, Inc., The Drake Hotel

Charge No.: 2013CP3573

ALS No.: 14-0370

Panel A denied the motion for extension of time to file request for review. Motion made by Commissioner Cosgrove; seconded by Commissioner Bakalis Yadgir. Motion carried 3-0.

VI. Motion for Extension of Time and Leave to File in Excess of 30 Pages

A. Mary D. Madison v. Kenco

Charge No.: 2014CF0475

ALS No.: 14-0369

Panel A granted the motion for extension of time and leave to file request for review in excess of 30 pages. The petitioner was given 45 days from the date of the order to file the request for review. In addition, the petitioner was given an additional 20 pages for a total of 50 pages in which to file the request for review. Motion made by Commissioner Bakalis Yadgir; seconded by Commissioner Cosgrove. Motion carried 3-0.

VII. Motion for Leave to File in Excess of 30 Pages

A. Christopher Galbreath v. Schwartz Brothers Insurance

Charge No.: 2013CN2705

ALS No.: 14-0367

Panel A granted the motion for leave to file request for review in excess of 30 pages. Motion made by Commissioner Bakalis Yadgir; seconded by Commissioner Cosgrove. Motion carried 3-0.

VIII. Third Motion for Leave to File a 158 Page Request for Review

- A. *Sherri Hall-Dupart v. City of Chicago, Department of Public Health*
Charge No.: 2013CF2725 ALS No.: 14-0162

Hall-Dupart's motion for leave to file a 158-page request for review was granted. As this was Hall-Dupart's third such motion to extend her page-limitation, the Commission's order on this motion shall be marked final, indicating this is the final extension the Commission will grant. Motion made by Commissioner Cosgrove; seconded by Commissioner Bakalis Yadgir. Motion carried 3-0.

IX. Brief in Opposition of Complainant's Request for Review of the IDHR's Dismissal for Lack of Jurisdiction and Lack of Substantial Evidence

- A. *Annie Hilliard v. New Horizon Center*
Charge No.: 2013CA1089 ALS No.: 14-0085

Panel A denied the brief in opposition of the complainant's request for review and the motion was stricken. Motion made by Commissioner Bakalis Yadgir; seconded by Commissioner Cosgrove. Motion carried 3-0.

X. Motion to Vacate Judgment Dated May 5, 2014 and All Related Judgments from 2008 through 2012

- A. *Brandy L. Stine v. Sam Latif*
Charge No.: 2008SN0588 ALS No.: S09-0039

Panel A denied the motion to vacate judgment dated May 5, 2014 and all related judgments from 2008 through 2012. Motion made by Commissioner Cosgrove; seconded by Commissioner Bakalis Yadgir. Motion carried 3-0.

- B. *Brandy L. Stine v. House of Gyros*
Charge No.: 2008SF0345 ALS No.: S09-0036

Panel A denied the motion to vacate judgment dated May 5, 2014 and all related judgments from 2008 through 2012. Motion made by Commissioner Cosgrove; seconded by Commissioner Bakalis Yadgir. Motion carried 3-0.

XI. Settlements

- | | | |
|---------------|------------|-----------------------------|
| 1. 2014CH3502 | C. Brown | R. Shanklin |
| 2. 2014CF0906 | V. Jones | Norwegian American Hospital |
| 3. 2014CP0433 | B. Tapia | Classy Nails |
| 4. 2014CP2467 | A. Cotten | Forever Yogurt |
| 5. 2015CH0137 | E. Martina | G. Leon |

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6. 2015SH0196 D. Lovell #1 J. Rupert; #2 J Rupert

Panel A approved the above-mentioned settlements. Motion made by Commissioner Cosgrove; seconded by Commissioner Bakalis Yadgir. Motion carried 3-0.

XII. Adjournment

Motion to adjourn Panel A meeting at 9:55 a.m. made by Commissioner Cosgrove; seconded by Commissioner Bakalis Yadgir. Motion carried 3-0.

Respectfully submitted,

Donyelle L. Gray
General Counsel
Illinois Human Rights Commission